

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

COLLINS SYLVESTER WILLIAMS JR,

Plaintiff,

v.

WASHINGTON CORRECTIONS  
CENTER, WASHINGTON  
CORRECTION CENTER'S HOUSING  
COORDINATOR, WASHINGTON  
CORRECTION CENTER'S INFIRMARY,

Defendants.

CASE NO. C14-5500 RBL-JRC

REPORT AND RECOMMENDATION

NOTED FOR:  
AUGUST 15, 2014

The District Court has referred this 42 U.S.C. § 1983 civil rights matter to United States Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Rules MJR 1, MJR 3, and MJR 4. The Court granted plaintiff in forma pauperis status (Dkt. 4).

1 The Court recommends dismissing this action without prejudice because plaintiff has not  
2 identified a specific person as a defendant. The Court cannot serve job titles. This is one of five  
3 actions plaintiff filed in three weeks. The actions are:

- 4 1. 14-5500 RBL/JRC.
- 5 2. 14-5544RBL/KLS
- 6 3. 14-5545BHS/JRC
- 7 4. 14-5564RJB/KLS
- 8 5. 15-5565BHS/JRC

9 Plaintiff alleges that he is HIV positive and he complains of the dental treatment and  
10 medical treatment he received when he was transferred from the Nisqually Tribal Jail to the  
11 Washington State Corrections Center in Shelton, Washington (Dkt. 7). Plaintiff originally  
12 named the Washington State Corrections Center as the only defendant (Dkt. 5). The Court  
13 entered an order directing plaintiff to file an amended complaint (Dkt. 6). The Court told  
14 plaintiff that he must name specific persons (Dkt. 6). Plaintiff filed the amended complaint and  
15 he identifies job titles, but he does not identify a person. Thus, plaintiff has been given an  
16 opportunity to correct the defect in his original complaint and has failed to comply with the  
17 Court's order.

18 Fed. R. Civ. P. 41(b) provides for involuntary dismissal if plaintiff fails to prosecute or to  
19 comply with these rules or a Court order. The dismissal counts as an adjudication on the merits  
20 unless the Court provides otherwise. The Court recommends dismissal of this action without  
21 prejudice. If or when plaintiff learns the name of a proper defendant, he may re-file this action.

22 Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties shall have  
23 fourteen (14) days from service of this Report to file written objections. *See also* Fed. R. Civ. P.  
24 6. Failure to file objections will result in a waiver of those objections for purposes of de novo  
review by the district judge. *See* 28 U.S.C. § 636(b)(1)(C). Accommodating the time limit

1 imposed by Fed. R. Civ. P. 72(b), the clerk is directed to set the matter for consideration on  
2 August 15, 2014, 2014, as noted in the caption.

3 Dated this 24<sup>th</sup> day of July, 2014.

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5 J. Richard Creatura  
6 United States Magistrate Judge  
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